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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/647,017	08/22/2003	Shosuke Haraguchi	1001-019	1476
26272	7590	10/28/2004	EXAMINER	
COWAN LIEBOWITZ & LATMAN P.C. JOHN J TORRENTE 1133 AVE OF THE AMERICAS 1133 AVE OF THE AMERICAS NEW YORK, NY 10017			GRAY, DAVID M	
			ART UNIT	PAPER NUMBER
			2851	

DATE MAILED: 10/28/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	10/647,017	HARAGUCHI ET AL.	
	Examiner	Art Unit	
	David M Gray	2851	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) Responsive to communication(s) filed on 22 August 2003.
- 2a) This action is FINAL. 2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) Claim(s) 1-16 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) Claim(s) 1-10 and 16 is/are allowed.
- 6) Claim(s) 11,13 and 15 is/are rejected.
- 7) Claim(s) 12 and 14 is/are objected to.
- 8) Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on 22 August 2003 is/are: a) accepted or b) objected to by the Examiner.
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) All b) Some * c) None of:
 1. Certified copies of the priority documents have been received.
 2. Certified copies of the priority documents have been received in Application No. _____.
 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____. |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>08-22-2003</u> . | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| | 6) <input type="checkbox"/> Other: _____. |

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 11 and 13 are rejected under 35 U.S.C. 102(b) as being clearly anticipated by

Suda et al.

Suda et al. discloses a viewfinder display having “an eyepiece lens unit [14a-14b]; an illumination unit [18a-18e] which irradiates illumination light; and a member [13] on which a plurality of region display sections [13a-13e] arranged in a viewfinder optical path respectively, to correspond to the focus detection regions [col 6, lns 8-12], wherein each of the region display sections includes a reflecting region which is formed at portion of the region reflecting region which is formed at portion of the region display section and which reflects illumination light from the illumination unit to guide the reflected light to the eyepiece lens unit [col 6, lns 42-48], and the reflecting region is formed to have convex shape and includes a plurality of microscopic prisms each of which has an inclined surface at the distal end of the reflecting region [see figure 4, which shows the micro prisms protruding from the surface of reflection plate 13].”

Regarding claim 13, “the heights of the plurality of microscopic prisms are substantially equal to each other” in the Suda et al. disclosure as shown in figure 4.

Regarding claim 15, Suda et al. discloses “a mirror unit [12] which is arranged above the member at positions being adjacent to the eyepiece lens unit and which guides light from an

object to the eyepiece lens unit [see figure 1], and wherein the illumination unit is arranged above the eyepiece lens unit [18a-18e are located above 14a-14b as shown in figure 1]."

Allowable Subject Matter

Claims 1-10 and 16 are allowed.

Claims 12 and 14 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

The following is a statement of reasons for the indication of allowable subject matter:

The prior art does not disclose or suggest "each of the region display sections includes an outer frame which partially transmits light from an object to display edges of the focus detection regions in the viewfinder field and reflecting region in which reflecting surface which reflects illumination light from the illumination unit to guide the reflected light to the eyepiece lens unit are formed" in combination with the remaining claim elements as set forth in claims 1-10 and 16.

The prior art does not disclose or suggest "reflecting region is formed to have circular shape, and the diameter of the reflecting region is smaller than 0.2 mm" in combination with the remaining claim elements as set forth in claim 12.

The prior art does not disclose or suggest "reflecting region is positioned on the eyepiece lens unit side" in combination with the remaining claim elements as set forth in claim 14.

Art Unit: 2851

Any inquiry concerning this communication or earlier communications from the examiner should be directed to David M Gray whose telephone number is 571-272-2119. The examiner can normally be reached on M-T 7:00-5:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Judy Nguyen can be reached on 571-272-2258. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



David M Gray
Primary Examiner
Art Unit 2851